DJB 4/4/17

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

IN THE MATTER OF THE SEIZURE OF $25,320.00 IN UNITED STATES CURRENCY	Case No. 17-1000 JMC **AFFIDAVIT IN SUPPORT OF SEIZURE WARRANT**

I, Special Agent Robert J. Swain III, Special Agent with the U.S. Department of Homeland Security Investigations, being duly sworn, hereby depose and state as follows:

I. PROPERTY TO BE SEIZED

1. This affidavit is submitted in support of a warrant to seize $25,320.00 in United States currency (the "Subject Property") seized from Jatin CHHABRA (CHHABRA), based on probable cause to believe that the currency is subject to seizure and forfeiture pursuant to 18 U.S.C. § 981(b)(2), 21 U.S.C. § 853(a) & (f), and 21 U.S.C. § 881(a)(6) & (b) because it constitutes: (1) money, negotiable instruments, securities or other things of value furnished or intended to be furnished in exchange for a controlled substance in violation of the Controlled Substances Act; (2) proceeds traceable to such an exchange; or (3) money, negotiable instruments, or securities used or intended to be used to facilitate a violation of the Controlled Substances Act.

II. AGENT BACKGROUND

2. I am an "Investigative or Law Enforcement Officer of the United States" within the meaning of Section 2510(7) of Title, 18 United States Code, that is an officer of the United States who is empowered to conduct investigations of and to make arrest for offenses enumerated in Section 2516 of Title 18, United States Code.

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3. I have been a federal law enforcement officer since May 1999 and have been employed as a Special Agent with Homeland Security Investigations (HSI) since October 2003. My past and current duties as an HSI Special Agent include, but are not limited to, the investigation and enforcement of federal laws regarding drug trafficking, money laundering, smuggling, asset identification and removal, document, commercial, and benefit fraud, terrorism, and intellectual property. Prior to joining HSI, I was a Customs Inspector with the United States Customs Service, now known as the United States Customs and Border Protection (CBP). As a Customs Inspector, my responsibilities were to detect and prevent contraband from entering into the United States, while facilitating the orderly flow of legitimate trade. This required enforcing laws related to revenue and trade, seizure of contraband and the interdiction of such contraband.

4. Currently, I am a member of the HSI Baltimore HIDTA Port Group, which is responsible for, among other things, investigations related to Title 19, Title 18 and Title 21 of the United States Code in and around the U.S. Customs territory, ports of entry and related areas contiguous to them. I have participated in several investigations that have focused on the transportation and distribution techniques used by persons involved in the trafficking of illicit drugs and their proceeds. I have also participated on several court ordered Title III Wiretaps related to the trafficking of illicit drugs and the laundering of illegal proceeds, and on numerous search and seizure warrants related to the trafficking of illicit drugs and the laundering of the illegal proceeds therefrom.

III. PROBABLE CAUSE

5. On, November 29, 2016, at approximately 10:23 a.m., a controlled delivery of a parcel addressed to Jay Singh, 18072 Fertile Meadow Court, Gaithersburg, Maryland 20877 (the "Fertile Meadow Residence") containing Methylenedioxymethamphetamine (MDMA, AKA

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Ecstasy) was executed. Upon delivery, an older female of Indian decent (later identified as CHHABRA'S grandmother, Indra Karla), accepted the parcel and took it into the residence. Members of the Metropolitan Area Drug Task Force (MADTF)[1] and assisting law enforcement personnel maintained constant surveillance on the residence, both during and after the controlled delivery. Immediately following the controlled delivery, at approximately 10:23 a.m., Maryland State Police (MSP) Trooper First Class Timothy Hawkins obtained a search and seizure warrant from Honorable Judge Mason of the Circuit Court for Montgomery County Maryland for the Fertile Meadow Residence. About seven minutes later, Montgomery County S.W.A.T. members entered the Fertile Meadow Residence and secured it for a search.

6. During the execution of the search, for which I was present, law enforcement officers observed the parcel containing the quantity of Methylenedioxymethamphetamine (MDMA AKA Ecstasy) addressed to Jay Singh on the dining room table. Law enforcement also recovered from the bedroom located in the basement of the Fertile Meadow Residence:

a. $25,320 in United States currency (the Subject Property);

b. 88 dark green circular pills Methylenedioxymethamphetamine (MDMA AKA Ecstasy);

c. 10 light green rectangular shaped pills Methylenedioxymethamphetamine (MDMA AKA Ecstasy);

d. 1,451 red rectangular shaped pills Methylenedioxymethamphetamine (MDMA AKA Ecstasy);

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1 MADTF members include state and local law enforcement, and representatives from HSI.

e. 158 orange triangular shaped pills Methylenedioxymethamphetamine (MDMA AKA Ecstasy);

f. 1,258 grams of marijuana;

g. 55.9 grams of an unknown substance; and

h. 163.5 grams of cocaine

7. Because these items indicated that the bedroom basement of the Fertile Meadow Residence was being used to distribute controlled dangerous substances prohibited under the Controlled Substances Act, I took custody of the bulk currency, and later seized it.

8. Also during the course of the search, CHHABRA'S sister, Kaveri Chhabra, consented to an interview. Kaveri stated, among other things, that her brother (CHHABRA) resides alone in the bedroom located in the basement of the residence, and often uses the nickname "Jay Singh" (the consignee on the parcel delivered to the Fertile Meadow Residence). Kaveri told officers that CHHABRA was not home at the time, and that he was working as an accountant in Rockville, Maryland. Based on Kaveri's recollection about CHHABRA'S place of employment, law enforcement identified CHHABRA'S employer as Saggar & Rosenburg, located at 1 Church Street #204, Rockville, Maryland 20850. Members of MADTF then went to that location; found CHHABRA, who they identified by his Maryland Driver's License and date of birth; and, placed CHHABRA under arrest for possessing with the intent to distribute a controlled dangerous substance—specifically, Methylenedioxymethamphetamine.

9. Law enforcement then transported CHHABRA to the MSP Rockville Barrack for processing. Investigators provided CHHABRA with an Advice of Rights, and CHHABRA declined to make any statements. TFC Hawkins then conducted a field test on several items described in paragraphs 7 above. Items 7(b)–(d) tested positive for the presence of

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Methylenedioxymethamphetamine, and item 7(h) tested positive for the presence of cocaine. Based on our training, knowledge, and experience, TFC Hawkins and I both recognized item 7(f) as marijuana. In addition, TFC Hawkins and I recognized the above-described pills as commonly used in the distribution of Methylenedioxymethamphetamine.

10. Based on my training and experience, I know that drug proceeds are often co-located with distributable amounts of controlled dangerous substances. In this instance, officers found $25,320 in United States Currency (the Subject Property) in the same room as a variety of controlled dangerous substances. In addition, CHHABRA'S sister confirmed that CHHABRA resided in this room alone, and that CHHARBA often goes by the alias "Jay SINGH"—to whom law enforcement investigators made a controlled delivery of controlled substances. Accordingly, I respectfully submit that there is probable cause to believe that the Subject Property are proceeds from the sale of a controlled dangerous substance.

IV. CONCLUSION

Wherefore, it is hereby requested that Special Agents, United States Homeland Security Investigations to be authorized to seize, pursuant to 18 U.S.C. § 981(b), 21 U.S.C. § 853(a) & (f), and 21 U.S.C. § 881(a)(6) & (b), the $25,320.00 in United States currency seized from Jatin CHHABRA in Gaithersburg, Maryland on November 29, 2016.

FILED ENTERED
LOGGED RECEIVED

APR 28 2017

AT BALTIMORE
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND
BY DEPUTY

Robert J. Swain III
Homeland Security Investigations

Sworn to before me this 6 day of April, 2017

J. Mark Coulson
United States Magistrate Judge